

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MALIBU MEDIA, LLC,

No. C 15-04173 WHA

Plaintiff,

v.

JOHN DOE SUBSCRIBER IP ADDRESS
98.207.153.167,

Defendant.

**ORDER RE STIPULATION AND
PROTECTIVE ORDER
GOVERNING CONFIDENTIAL
THIRD-PARTY MATERIAL**


The Internet subscriber assigned to the above-captioned IP address by Comcast contends that an individual renting his guest house committed the alleged copyright infringement. Counsel for subscriber contacted counsel for plaintiff and offered to provide the name and identifying information of the renter, subject to the confidentiality protections set forth in the order granting plaintiff's motion for leave to serve a third-party subpoena. The subscriber also seeks the same protection. Plaintiff and the subscriber have submitted a joint stipulation agreeing to a protective order regarding the identifying information of both the subscriber and the renter (Dkt. No. 19). The parties' protective order is hereby **APPROVED** as modified below:

1. Plaintiff will treat any and all identifying information about the renter in accordance with the October 18, 2015 order granting plaintiff's *ex parte* motion for leave to serve a third-party subpoena;
2. Plaintiff will further treat any and all identifying information about the subscriber as follows:

- a. Plaintiff may not use any identifying information of the subscriber for any purpose other than protecting its rights as set forth in the complaint;
 - b. Plaintiff shall not disclose the subscriber's name, address, telephone number, email, social media username, or any other identifying information, other than his or her IP address.
 - c. All documents including subscriber's identifying information, apart from his or her IP address, shall be filed under seal, with all such information redacted on the public docket, unless and until the Court orders otherwise and only after subscriber has had an opportunity to challenge the disclosure of any identifying information.
3. If any of subscriber's identifying information is disclosed in violation of this protective order, plaintiff shall immediately inform subscriber of all pertinent facts relating to the disclosure, and shall make reasonable efforts to rectify such disclosure and prevent further disclosure. Plaintiff's compliance with this paragraph shall be without prejudice to any rights or remedies of subscriber arising from violation of this protective order.
 4. By **DECEMBER 21**, subscriber shall please file a notice including his or her name and address, along with any and all identifying information that subscriber has provided to plaintiff regarding renter. Subscriber should comply with the procedure detailed in Civil L.R. 79-5 to ensure that the identifying information is filed under seal.

IT IS SO ORDERED.

Dated: December 14, 2015.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE